

**ASSEMBLY BILL**

**No. 990**

**Introduced by Assembly Member Lieber**

February 18, 2005

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An act relating to toxic substances.

LEGISLATIVE COUNSEL'S DIGEST

AB 990, as introduced, Lieber. Toxic substances: substitution.

Existing law requires the California Environmental Protection Agency to initiate a scientific peer review of screening levels for certain contaminants. The agency is required to publish a list of screening numbers determined for specified contaminants, and to conduct public workshops in establishing and revising those levels.

This bill would declare the intention of the Legislature to enact legislation that would ensure the substitution of safer alternatives for priority toxic substances in their use, manufacture, emission, and distribution, including consumer products that contain these priority toxic substances, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature declares its intention to enact
- 2 legislation that would ensure the substitution of priority toxic
- 3 substances in their use, manufacture, emission, and distribution,
- 4 including consumer products that contain these substances, with
- 5 the safest feasible alternatives, by providing for all of the
- 6 following:

1 (a) Designating an initial group of priority toxic substances  
2 that are required to be substituted, if a safer alternative is found  
3 to be feasible.

4 (b) Assessing the use of priority toxic substances through the  
5 University of California, or other designated research or  
6 academic entity in cooperation with the University of California,  
7 to determine whether there are safer feasible alternatives  
8 available for each usage category.

9 (c) If there is a use of a priority toxic substance for which  
10 there is no safer feasible alternative, instituting further research  
11 and development regarding that substance.

12 (d) Directing the California Environmental Protection Agency  
13 to set priorities for investment, business assistance, and  
14 regulatory agency action based on a priority toxic substances's  
15 potential health and environmental impacts, on the economic and  
16 technical ease of substitution, and on the economic benefits of  
17 investment in safer alternatives.

18 (e) Giving flexibility to businesses to develop and implement  
19 their own measures to choose and implement safer alternatives.

20 (f) Directing the California Environmental Protection Agency  
21 to serve as the implementing regulatory agency for implementing  
22 safer feasible alternatives.

23 (g) Directing the California Environmental Protection Agency  
24 to coordinate technical assistance to businesses in developing  
25 safer alternatives and substituting priority toxic substances.

26 (h) Assessing fees on priority toxic substances to raise funds to  
27 create a Business Transition Assistance Program and an  
28 Innovative Industries Investment Plan and to cover regulatory  
29 costs.